

## **Remarks**

The Examiner made formal objections to the listing of claims in the Amendment filed August 15, 2006. In response, the undersigned has revised the claims listing as suggested by the Examiner.

The Examiner objected to the priority claim set out in the cross-reference to related applications, on the ground that updating is required. The undersigned would point out that an updating of the priority claim was included in the preliminary amendment filed September 19, 2003. If that amendment has not been entered, its entry at this time is requested. Thus, the required updating is not required, nor is a petition necessary. However, the priority claim has been amended to reflect the patent number assigned to the parent case, which was not known at the time the preliminary amendment was filed.

The Examiner rejected claims 47, 59, 62, 63 and 65 as anticipated by U.S. Patent No. 5,888,943, issued to Diggs et al. Reconsideration of this rejection is requested.

The Diggs patent discloses a fluid composition that is used to plug the individual pores of a formation, in order to protect the formation from seepage of drilling fluids. See column 10, lines 46-62. In contrast, amended independent claim 47 defines a method of plugging the entire “wellbore” of a well. See application Figure 6 and drawing number 44. The Diggs fluid composition, which does not undergo cross-linking within the wellbore, would not have sufficient structural integrity to plug the entire

wellbore. It can only plug small pores in the wall of the borehole. Claim 47, as amended, is not anticipated by Diggs.

Claims 59, 62, 63 and 65 depend from claim 47, directly or indirectly, and include all of its limitations. These dependent claims are not anticipated for the same reasons as claim 59.

Withdrawn claims 66 and 68 now depend from an allowable claim, claim 62. Because claim 62 is allowable, it is requested that the withdrawn claims be returned to examination and allowed.

In the event that the Examiner has any questions or comments concerning the application or this Amendment, the undersigned would welcome the opportunity to discuss the case with the Examiner.

This is intended to be a complete response to the Examiner's Action mailed October 24, 2006.

Respectfully submitted,

s/ Gary Peterson/  
Gary Peterson, Reg. No. 28,891  
211 N. Robinson Ave., Suite 450 South  
Oklahoma City, OK 73102  
(405) 606-3367

January 22, 2007

Attorney for Assignee Wallace, Inc.